

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JAMES SCOTT ALVA,

Case No.: 2:24-cv-00072-APG-DJA

Plaintiff

Order Accepting Report and Recommendation and Closing Case

V.

LEW LEWISBURG USP, et al.,

[ECF No. 13]

Defendants

8 On January 27, 2025, Magistrate Judge Albregts recommended that this case be
9 dismissed without prejudice because plaintiff James Alva did not file a complete application to
10 proceed in forma pauperis by the given deadline and did not respond to Judge Albregts' order to
11 show cause. ECF No. 13. Alva did not object. Thus, I am not obligated to conduct a de novo
12 review of the report and recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts to
13 “make a de novo determination of those portions of the report or specified proposed findings to
14 which objection is made”); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)
15 (en banc) (“the district judge must review the magistrate judge’s findings and recommendations
16 de novo *if objection is made*, but not otherwise” (emphasis in original)).

I THEREFORE ORDER that Magistrate Judge Albregts' report and recommendation (ECF No. 13) is accepted, and this case is dismissed without prejudice. The clerk of court is instructed to close this case.

DATED this 20th day of February, 2025.

ANDREW P. GORDON
CHIEF UNITED STATES DISTRICT JUDGE